

Statement of the Honorable Rahm Emanuel
Hearing on "Great Lakes Water Quality and Restoration Efforts"
For the Committee on Transportation and Infrastructure
Subcommittee on Water Resources
May 21, 2004

Mr. Chairman, I appreciate the opportunity to testify on Great Lakes Restoration, an issue of great importance to me.

The Great Lakes are, in President Bush's words of this past Tuesday, a national treasure. Comprising 20 percent of the world's surface freshwater, the lakes provide drinking water to 28 million Americans. But, in the region, and particularly in Chicago, the Great Lakes are much more than a source of water. The lakes fuel the economic fires of the region, assisting in transportation and encouraging tourism. The lakes also add to the character of the region. Lake Michigan is as important to Chicago's identity as the Sears Tower, the Field Museum, the Cubs, deep dish pizza and our famous politicians.

As a child I cherished my days at the beach. But the memories are not all pleasant. I vividly remember how we would run to the water's edge, dive in and swim out twenty feet to get past the dead fish and debris. Thirty years after the Clean Water Act, the Great Lakes are much cleaner, but they still face an uncertain future. More than 140 invasive species plague the lakes, and new ones, like the Asian Carp are at the back door. Mercury deposition from coal-fired power plants, and the accumulation of other toxins, has led to more than 1,500 fish consumption advisories. And nearly every time it rains, we still dump raw sewage into the lakes through combined sewer overflows.

Not surprisingly, evidence indicates that the health of the Great Lakes is deteriorating. Last year, beach closures increased 62% from 919 in 2002, to 1473 in 2003. Preliminary results from several studies indicate the Diporeia, a small shrimp like creature which comprises a good portion of the Great Lakes food web, is disappearing in many lakes. And possibly worse, old problems are resurfacing. For example, the Lake Erie dead zone, an area of water with oxygen levels so low that no life can be sustained, has reappeared.

Obviously, if the Great Lakes are allowed to deteriorate, the entire Great Lakes region will be adversely affected. We in Congress cannot allow that to happen, and with these hearings, and the President's recent Executive Order, I am encouraged that both Congress and the White House are beginning to seriously consider Great Lakes restoration.

As you know, last year I introduced HR 2720, the Great Lakes Restoration Financing Act. HR 2720 provides states with \$4 billion in block grants for Great Lakes restoration. This money could be used to deal with invasive species, toxic sediments, and/or wetlands preservation. But, it's up to the states and EPA on how the money should be spent. Each state has a unique set of problems, and our bill allows the states to work with EPA to

develop and implement a tailored restoration strategy. Further, it provides a coordination mechanism to ensure the money is being spent wisely. But, the most important part of this legislation is that it provides the funding the Great Lakes are so sorely lacking.

But, I would like to also note HR 2720, was developed as an outgrowth of the current Administration's policy. On April 2, 2002, then EPA Administrator Christie Todd Whitman announced the "Great Lakes Strategy 2002" in Muskegon, Michigan. This plan was developed based on the years of research into the state of the lake and was supposed to provide a road map of how to improve the health of the Great Lakes. Using the Great Lakes Strategy as our guide, we drafted HR 2720.

Today, HR 2720 has the support of 106 Members of the House, 61 Democrats, 44 Republicans, and 1 Independent. Fifteen Senators support the bill, 9 Democrats, and 6 Republicans. All 8 governors from the Great Lakes states support the bill, 5 Democrats and 3 Republicans. We have the support of 40 mayors, all the mayors from cities along the lakefront with a population of 50,000 or larger. And we have the support of 43 advocacy organizations – groups ranging from the Lake Michigan Federation, to the National Marine Manufacturers, to Ducks Unlimited, to the Lake Carriers Association. This is an unprecedented coalition. I am not aware of any other time when Federal, state, and local governments, and the advocacy community have come out so strong in favor of a Great Lakes proposal. This broad coalition, presents an opportunity to actually do something to help restore the health of the Great Lakes that is more than a study. We must take advantage of this moment in history.

This week, the President joined the ranks of those concerned about the Great Lakes when he signed an Executive Order establishing a Great Lakes Interagency Task Force. This is a positive step, but I am concerned his executive order may lead us down a path we have traveled many times before.

According to the Executive Order, a Great Lakes Regional Working Group will be created within the Task Force. This Working Group will be comprised of:

“The Great Lakes National Program Office of the Environmental Protection Agency; the United States Fish and Wildlife Service, National Park Service, and United States Geological Survey Within the Department of Interior; the Natural Resources Conservation Service and the Forest Service of the Department of Agriculture; the National Oceanic and Atmospheric Administration of the Department of Commerce, the Department of Housing and Urban Development; the Department of Transportation; the Coast Guard within the Department of Homeland Security; and the Army Corps of Engineers within the Department of the Army.”

After the signing, he issued a statement saying:

“The Task Force will address environmental and natural resource issues of national concern and better coordinate the region’s sustainable development and restoration. It will harness the collective efforts of the Federal government, Governors, Mayors, Members of Congress, tribes, and citizen stewards to ensure that the greatness of the lakes endures for generations.”

I appreciate, and encourage, the President’s support for the Great Lakes, but I fear his policy will do little more than generate another study. In fact, President Bush’s recent Executive Order is nearly identical to the “Great Lakes Strategy 2002,” the document on which we based HR 2720.

Consider Whitman’s words at the release of the “Great Lakes Strategy 2002”:

The “Great Lakes Strategy 2002 [was developed] to advance Great Lakes protection and restoration efforts in the new millennium. Great Lakes Strategy 2002 was created by the U.S. Policy Committee – a forum of senior-level representatives from the Federal, State, and Tribal agencies responsible for environmental and natural resources management of the Great Lakes – to help coordinate and streamline efforts of the many governmental partners involved with protecting the Great Lakes.”

What entities comprised the U.S. Policy Group? Army Corps, EPA, Coast Guard, Agriculture, NOAA, Fish and Wildlife, USGS, and the Forest Service. The two plans are eerily, similar.

Studies of the Great Lakes and task forces are not a 21st Century creation. In fact, the Boundary Waters Treaty of 1909 led to the International Joint Commission, a bi-national agency tasked with management of the waters shared between the United States and Canada. Additionally, in 1955 the Great Lakes Commission was created:

1. “To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).
2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.
3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.
4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other legitimate uses of the water resources of the Basin.
5. To establish and maintain an intergovernmental agency the end that the purposes of this compact may be accomplished more effectively.”

I understand the President was responding to the last year's GAO study which argued the Great Lakes suffer from a lack of coordination. Yet the evidence suggests the lakes are suffering not from a lack of coordination, but entirely too many efforts to coordinate. Bush's Interagency Task Force will no doubt "discover" the same problems identified by the "Great Lakes Strategy 2002", which highlighted the same problems that the numerous preceding studies indicated. We know what needs to be done. The Great Lakes need less talk and more action.

I am not alone. Just yesterday, for example, the *Detroit Free Press* ran an editorial titled "Lakes task Force: More than another report, Great Lakes need action." In the editorial, the *Free Press* noted, "Nobody really needs another report. In fact, any number of dedicated federal employees already at work here could write up goals and measures in a week."

The good news is that we have a solution. HR 2720 provides the money and coordination that some say is lacking. But more importantly the bill has unprecedented support in the region.

Still, questions have been raised about HR 2720, and indeed the very concept of Great Lakes restoration. I would like to address some of those questions now.

First, some have questioned why the Great Lakes are so special that they deserve more attention than any other body of water in this country? I would argue that the lakes are a unique resource. Indeed they are 20% of the world's freshwater, yet they are also a unique ecosystem, and one we barely understand. But the Great Lakes have been neglected compared to other resources such as the Everglades and the Chesapeake Bay. It's not that those projects are unworthy, but rather, that the Great Lakes are equally worthy. So ultimately, it is not a question of elevating the Great Lakes, as much as giving them the resources they deserve.

Second, one might wonder how the advisory board outlined in my bill is different than the many studies done in the past? While a good question, the difference is that the advisory board outlined in the bill is tasked with prioritizing how the money in the bill is allocated. Still, in composition, there is little difference between the advisory board and the task force recently created by the President's Executive Order. As such, I would not be opposed to amending the legislation to accommodate the President's new Interagency Task Force. I welcome your input on this issue.

Third, some have said that even if Congress were to approve the bill and fully fund it, states would not be prepared to spend the \$800 million allocated each year. This is simply an argument I cannot, and will not, accept. As I've noted, we know what needs to be done, and we know the money proposed in this bill won't be enough; it's just a down payment. The International Joint Commission, for example, has estimated it will cost at least \$7.2 billion to remediate the 31 Areas of Concern in the United States. But the same people who make this argument are also advocating a study. I understand there are

some technical issues to solve, but these are not concerns which should delay the necessary projects. In Illinois, for example, we know we need to deal with the Asian Carp by building a second permanent barrier, and we need to stop sewer overflows by completing the Deep Tunnel project. These are examples of two projects Illinois could start tomorrow if we were to pass HR 2720. I know every state has come up with their own list of immediate projects. In fact, the governors have already submitted a list of priorities.

Fourth, the White House claims we have spent more than a billion dollars on the Great Lakes in the past few years. Further they argue their budget has increased Great Lakes spending by \$48 million. This begs the question, of whether or not more money is necessary? The reality is that while more than \$200 million is spent on the Great Lakes annually, very little of this has gone to restoration. Further, the costs to actually improve the health of the lakes are enormous, and well beyond what is currently being spent.

Regarding the Administration's claim of increased funding, two points must be made. To begin, the majority of the increase is earmarked for Great Lakes Legacy Act programs, yet the Administration has under funded this program by \$35 million in 2004. Additionally, as we all know, there is a big difference between what is in the President's budget and final appropriations. I'm hopeful the Administration will honor their pledge of increasing funding for Great Lakes restoration.

Fifth, many have asked how, with a \$521 billion budget deficit, we can afford to spend \$4 billion on the Great Lakes? I believe that we must invest in the Great Lakes. But, I also know that we can find the money. We're spending \$5.1 billion in Iraq on wetlands restoration and water system improvements. They didn't have an Interagency Task Force and we were still able to find the money. And there are options. For example, we could, as the Oceans Commission has suggested, utilize revenues from oil and gas leasing rights. Or we could close one of the many corporate tax loopholes. We have options, and the bottom line is that we can find the money. It's not the money that is lacking, but the political will.

Mr. Chairman, I will end by saying that I am eager to work with this committee on moving HR 2720. We have unprecedented support and an historic opportunity to do something significant to improve the health of the Great Lakes. I welcome your input and am open to all suggestions on how we might improve the legislation. My only concern is that we provide significant resources toward Great Lakes Restoration, and end the perpetual cycle of well-intended studies.

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